

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director
Prepared by: Larry A. Peters, P.E., Town Engineer (954) 797-1113

SUBJECT: Resolution

AFFECTED DISTRICT: District 2

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A DRAINAGE EASEMENT FROM MICHAEL DEVINE, PROPERTY OWNER; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The Town Engineering Staff has determined that it is necessary for the benefit of the residents of the Town that certain drainage improvements be constructed. In order to accomplish this goal, the Town Staff has obtained from property owner, Michael Devine, the necessary drainage easement needed by the Town for the improvements. Copies of the drainage easements are attached to the accompanying Resolution and Town Council approval is necessary for the Town to accept from Mr. Devine the needed drainage easement and to authorize the recordation of same in the Public Records of Broward County, Florida

PREVIOUS ACTIONS: None

CONCURRENCES:

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S):

The Town Engineering Division recommends that the Town Council approve the attached Resolution and authorize acceptance of the drainage easement and authorize recording of same in the Public Records of Broward County, Florida

Attachment(s): Resolution, drainage easement and sketch of survey

RESOLUTION R-2004

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ACCEPTING A DRAINAGE EASEMENT FROM PROPERTY OWNER MICHAEL DEVINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie recognizes the need to construct and maintain certain drainage improvements located within the Town Limits' and

WHEREAS, it has been determined that such improvements will be a benefit to the Town and its residents; and

WHEREAS, the Town is in need of obtaining a drainage easement from property owner, Thomas Haydu, in order to accomplish these needed improvements; and

WHEREAS, the Town has received from property owner, Michael Devine, the necessary drainage easement, copies of which are attached hereto, which will enable the construction of the needed drainage improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The Town Council of the Town of Davie, Florida does hereby authorize the Town to accept from the property owner the attached drainage easement and to record same in the

Public Records of Broward County, Florida.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption..

PASSED AND ADOPTED THIS _____ DAY OF _____, 2005.

MA YOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

**This document prepared by
and record and return to:**

Town of Davie
6591 Orange Drive
Davie, Florida 33314

DRAINAGE EASEMENT

This Drainage Easement executed this 20th day of June, 2005, by **MICHAEL DEVINE** (Grantor), whose address is 6651 and 6653 SW 49th Court, Davie, Florida 33314, in which Grantor swears that Grantor is the legal owner of the referenced property and conveys to the **TOWN OF DAVIE, FLORIDA**, a Municipal corporation, located in Broward County, Florida (Grantee), a Drainage Easement.

Grantor warrants that Grantor is the fee owner of certain real estate situated in the Town of Davie, County of Broward, State of Florida, which is legally described in Exhibit "A" attached hereto and incorporated herein by reference, referred to hereinafter as the "easement premises"; and

Grantor hereto has determined that it is in the Grantor's best interest for the Grantor to grant to the Town of Davie an easement in and along the easement premises for drainage purposes.

Therefore, in consideration of the foregoing:

1. The Grantor hereby grants and conveys to the Town of Davie a perpetual drainage easement (which can be over, under and across the easement premises), including the right to ingress and egress to the easement, for construction, reconstruction, alteration, maintenance and repair (to the extent the Town of Davie considers desirable) of pipes, manholes, catch basins, and other necessary or desirable appurtenances to and/or for a drainage system and/or drainage facilities, the easement premises being described as follows which are located in Broward County, Florida.:

Exhibit "A" - easement premises legal description

2. All rights, title and privileges to the easement herein granted shall run with the land and shall be binding upon Grantor and all persons claiming by, through or under Grantor and inure to the benefit of the Town of Davie, Florida, its successors and assigns. Grantor will defend the title to said easement against all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal to this Drainage Easement this 20 day of JUNE, 2005.

WITNESSES:

Witness

Print Name: Douglas F. Jones

Witness

Print Name: Enrya Rodriguez

GRANTOR:

MICHAEL DEVINE, Grantor

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 20 day of June, 2005, by **MICHAEL DEVINE**, who ✓ is personally known to me, or who has produced _____ as identification, and who did not take an oath.

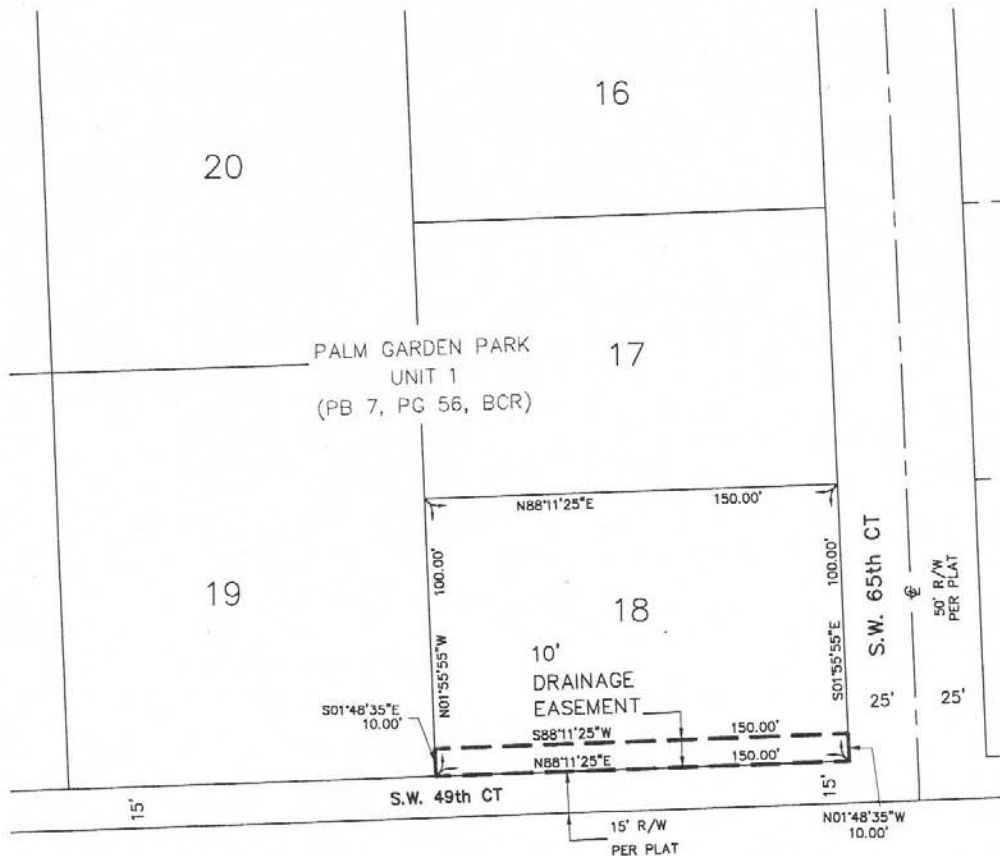
Vicki L. Miller
Notary Public, State of Florida at Large

Vicki L. Miller
Print, Type Name

My Commission Expires:



VICKI L. MILLER
MY COMMISSION # DD 106062
EXPIRES: May 3, 2006
Bonded Thru Budget Notary Services



S:
INGS SHOWN HEREON ARE BASED ON "STONER-KEITH RESURVEY NO. III" AS
RDED IN MISCELLANEOUS PLAT BOOK 5, PAGE 9, BROWARD COUNTY
RDS, AND AS TRANSFORMED TO THE NORTH AMERICAN DATUM OF 1983,
THE 1990 ADJUSTMENT)

ECT PROPERTY WAS NOT ABSTRACTED BY THIS FIRM FOR EASEMENTS,
IS-OF-WAY, RESERVATIONS OR OTHER MATTERS OF RECORD.

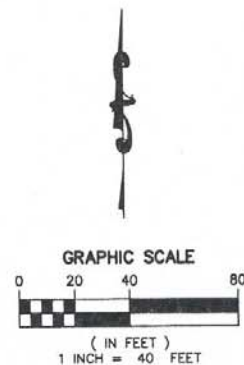
RIPTION: (DRAINAGE EASEMENT)

SOUTH 10' OF LOT 18 OF "PALM GARDEN PARK UNIT 1" AS RECORDED IN
BOOK 7, PAGE 56 OF THE PUBLIC RECORDS OF BROWARD COUNTY,
DA.

LANDS SITUATE, BEING AND LYING IN THE TOWN OF DAVIE, BROWARD
TY, FLORIDA.

EVIATIONS:

PLAT BOOK
PAGE
= BROWARD COUNTY RECORDS
= RIGHT-OF-WAY
CENTER LINE



SKETCH AND DESCRIPTION

REVISIONS	DATE	BY

CERTIFIED TO:

TOWN OF DAVIE

MILLER LEGG

South Florida Office: 1800 North Douglas Road - Suite 200
Pembroke Pines, Florida - 33024-3200
954-436-7000 - Fax: 954-436-8664
www.millerlegg.com

THIS SKETCH DOES NOT
REPRESENT A BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM
TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF
PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-8,
FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027,
FLORIDA STATUTES.

DATED THIS 31 DAY OF MAY, 2008 A.D.

Martin P. Rossi

MARTIN P. ROSSI
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA REGISTRATION NO.
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
CERTIFICATE OF AUTHORIZATION: L06680

PROJECT NO.
05-00216

FILE NO.
11-1C-202

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